

REMARKS

Status of the Claims

- Claims 1-32 are pending in the Application after entry of this amendment.
- Claims 1-32 stand rejected.
- Claims 1, 12 and 23 are currently amended by Applicants.

Claim Rejections Pursuant to 35 U.S.C. §103

Claims 1-32 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Pat No. 6,144,944 to Kurtzman II et al. in view of U.S. Patent No. 6,654,725 to Langheinrich et al.

The Office Action states that Kurtzman II et al. does not disclose a method in which the selection is performed in a method that equalizes the probability that items in one source will be selected in relation to items of another. Applicant agrees. However, Applicant does not agree that Langheinrich et al. discloses a method in which the manner of selection equalizes the chances of items being selected from any of the sources as stated in the Office Action. Accordingly, Applicants traverse the 35 U.S.C. §103(a) rejection.

Langheinrich et al. teaches providing a list of display probabilities for all available advertisements in the system, given the values of customization variables. (col. 7 lines 64-67). Langheinrich et al. teaches that the list of probabilities for each advertisement has to add up to 1.0 for each value of customization variable such that in every case the system has to be able to chose one and only one of the available advertisements. (col. 8 lines 1-5). Applicant assumes that the customization variable is related to the Langheinrich et al. customization parameter which is defined by example as being a user's search word, a page ID or the name of the user's browser software. (col. 5 lines 31-34).

Amended independent Claims 1, 12 and 23 do not include a customization parameter as is used in Langheinrich et al. Further, Langheinrich does not teach selecting display items from a pool of all candidate sets of display items in a manner that equalizes a probability that display items of a first candidate set from a first source are selected in relation to display items of a second candidate set from a second source, wherein the display items of the first candidate set and the second candidate set are unequal in number.

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For the above reasons, Applicants respectfully submit that neither Kurtzman II et al. nor Langheinrich et al., either alone or in combination, teach or suggest selecting display items from a pool of all candidate sets of display items in a manner that equalizes a probability that display items of a first candidate set from a first source are selected in relation to display items of a second candidate set from a second source, wherein the display items of the first candidate set and the second candidate set are unequal in number as included in amended Claims 1, 12 and 23 upon which Claims 6-11, 17-22 and 27-32 depend. Accordingly, reconsideration and withdrawal of the 35 U.S.C. §103(a) rejection of Claims 1-32 is respectfully requested.

Conclusion

In view of the above remarks, Applicants respectfully submit that the present application patentably defines over the cited art. Reconsideration, withdrawal of the rejection and advancement towards a Notice of Allowance are earnestly requested.

Respectfully submitted,

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Jerome G. Schaefer
Registration No. 50,800

Woodcock Washburn LLP
One Liberty Place - 46th Floor
Philadelphia PA 19103
Telephone: (215) 568-3100
Facsimile: (215) 568-3439